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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

EXAMINER

CHOW, MING

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2645 | |

DATE MAILED: 11/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

| | | |
|-----------------------|-----------------------|------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/441,057 | HERSENT, OLIVIER |
| | Examiner Ming Chow | Art Unit 2645 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on _____.
2a) This action is FINAL. 2b) This action is non-final.
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) _____. is/are pending in the application.
4a) Of the above claim(s) _____. is/are withdrawn from consideration.
5) Claim(s) _____. is/are allowed.
6) Claim(s) 1-9 is/are rejected.
7) Claim(s) _____. is/are objected to.
8) Claim(s) _____. are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
10) The drawing(s) filed on _____. is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
11) The proposed drawing correction filed on _____. is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) Interview Summary (PTO-413) Paper No(s) _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term “and/or” is not clearly defined.
2. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term “particular” is not clearly defined.
3. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase “other industrial processes” is not clearly defined.
4. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term “partly” is not clearly defined.

5. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "narrow band connection" is not clearly defined.

6. Claim 8 recites the limitation "voice recognition task" in claim 1. There is insufficient antecedent basis for this limitation in the claim.

7. Claim 9 recites the limitation "media streams" in claim 1. There is insufficient antecedent basis for this limitation in the claim.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The following shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claim 8 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to

which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The phrase “a voice recognition task is partly distributed to a personal computer” of claim 8 is not disclosed by the specification.

9. Claim 9 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The phrase “media resource” of claim 8 is not disclosed by the specification.

10. Claim 9 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The phrase “allowing the shared media resource to switch calls without always handling the media stream locally by routing each media stream directly through a network apart from a path for control signals” of claim 8 is not disclosed by the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

11. Claims 1-2, 8-10, and 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Seazholtz et al (US-PAT-NO: 5,594,789).

For claim 1, regarding a wide area network, the confidentiality and security of which are not controlled from end to end. Seazholtz et al teach on column 27 line 1 “in a wide area implementation of the network”. It is inherent that the confidentiality and security of a wide area network are not controlled from end to end.

Regarding at least one customer server located at each one of a plurality of service suppliers, each customer server being configured to be connected to the wide area network, Seazholtz et al teach on column 13 line 28 “the Service Switching Points, are appropriately equipped programmable switches present in the telephone network, which recognize AIN type calls, launch queries to the ISCP and receive commands and data from the ISCP to further process the AIN calls. The “Service Switching Points” of Seazholtz et al is the claimed “customer server” (referenced to the amendment, line 1 page 17, customer server is software that receives events

signaled by the host server and sends commands in reaction to these events). Seazholtz et al also teach on column 13 line 26 “in the network shown in Fig. 1B, each central office switching system (CO) 11, 13, 15, 17 is labeled as an SSP”. It is inherent that each CO is a service supplier. Regarding a shared voice resources and/or video resources host server connected to the wide area network and configured to receive therefrom particular service requests from users also connected to the wide area network and to initially respond to each received particular service request to determine the particular service supplier concerned therewith, and to then direct each particular received service request to the at least one customer server located at the concerned particular service supplier for execution of particular service logic associated with services provided thereby, Seazholtz et al teach on column 14 line 49 “the ISCP includes a Service Management System (SMS), Service Control Point (SCP)”. Seazholtz et al also teach on column 14 line 60 “the SCP also stores at least some data for controlling broadband services through the integrated network and may store the data necessary to implement the method of the invention”. The “ISCP” of Seazholtz et al is the claimed “shared voice resources and/or video resources host server”. It is inherent that the ISCP of Seazholtz et al must be connected to the wide area network. It is inherent that the ISCP of Seazholtz et al must respond to each received particular service request (by the Service Management System). Seazholtz et al also teach on column 14 line 58 “the SCP database (a part of ISCP) stores data tables used to control telephone services provided through the network to callers using telephone stations”. It is inherent that the ISCP must direct each particular received service request to the at least one customer server.

Regarding claim 2, Seazholtz et al teach on column 3 line 20 that calls are received by two gateways from the data network. Seazholtz et al also teach on column 4 line 21 that the access concentrator identifies the subscriber and X.121 address (the called party number). On column 6 line 48, Seazholtz et al teach that the DTMF dial tone is detected. On column 20 line 57, Seazholtz et al teach that the MPEG2 receives and generates MPEG2 data stream. On column 5 line 50, Seazholtz et al teach that ISCP generates a message on detection of a call. The said message is an event message. On column 5 line 55, Seazholtz et al teach that the call control message is used by the network offices.

Regarding claim 3, Seazholtz et al teach on column 24 line 18 that MPEG video and audio decoder is used. The said decoder is a transcoding system, which includes synthesizing and sequence reproduction.

Regarding claim 4, Seazholtz et al teach on column 35 line 25 the digital card would synthesize speech signals.

Regarding claim 5, Seazholtz et al teach on column 38 line 57 and column 35 line 53 that a new voice message is stored and incoming message is recorded.

Regarding claim 6, Seazholtz et al teach on column 13 line 28 "the Service Switching Points, are appropriately equipped programmable switches present in the telephone network, which recognize AIN type calls, launch queries to the ISCP and receive commands and data from the

ISCP to further process the AIN calls. The “Service Switching Points” (SSP) of Seazholtz et al is the claimed “customer server”. It is inherent that the SSP must receive events signaled by the shared voice resources and/or video resources host server and provides commands in reaction to these events.

Regarding claim 7, Seazholtz et al teach on Fig. 1B the interface between SSP and ISCP (SSP-STP-STP-ISCP). It is inherent this interface connects to the wide area network to communicate with the shared voice resources and/or video resources host server (the ISCP of Seazholtz et al). Seazholtz et al also teach on Fig. 1B the interface between SSP and SSP. It is inherent that SSP (CO) must have customer database. It is inherent that the interface must be connected to the customer database and other industrial processes (signaling processes).

Regarding claim 8, Seazholtz et al teach on ABSTRACT “a voice recognition module and a voice verification module”. The “voice verification module” of Seazholtz et al reads on the claimed “voice recognition task is partly distributed”.

Regarding claim 9, Seazholtz et al teach on item 36A and 40A where video and voice signals (the claimed media streams) are provided to the ISCP (the claimed shared voice resources and/or video resources host server).

Response to Arguments

12. Applicant's arguments filed on 6/19/02 have been fully considered but they are not persuasive.

- i) Applicant argues, on page 14, Seazholtz et al failed to teach a plurality of service suppliers each having at least one customer server being connected with a shared host server that receives user service requests relating to the individual services that each of the service suppliers provides with the host server then identifying the particular service supplier associated with the particular service request and then forwards notification of the received particular service request to the customer server at the identified particular service supplier for execution of particular service logic. However, as the rejections stated in claim 1, Seazholtz et al teach on column 13 line 26 "in the network shown in Fig. 1B, each central office switching system (CO) 11, 13, 15, 17 is labeled as an SSP". It is inherent that each CO is a service supplier. Therefore, Seazholtz et al teach the claimed "a plurality of service suppliers". Each service supplier of Seazholtz's system has a SSP (the claimed customer server). Each SSP of Seazholtz et al is connected to the shared ISCP (the claimed shared host server). It is inherent that the ISCP identifies the service supplier associated with the particular service request (by the service management).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***** NOTICE *****

ANY AMENDMENT OR REQUEST FOR RECONSIDERATION IN RESPONSE TO THIS FINAL OFFICE ACTION SHOULD BE DIRECTED TO:

Commissioner of Patents and Trademarks
Box AF
Washington, D.C. 20231

By addressing all after final office action responses to the above address, processing time of the response is included. This will result in more timely responses by the Office and should result in fewer requests for extension of time.

13. Any inquiry concerning this communication or earlier communication from the examiner should be directed to the examiner Ming Chow whose telephone number is (703) 305-4817. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377. Any inquiry of a general nature or relating to the status of this application or proceeding should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to TC2600's Customer Service FAX Number 703-872-9314.

Patent Examiner

Art Unit 2645

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Ming Chow

(M)

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

